



REMARK

Applicant respectfully requests reconsideration of this application

U.S.C. §102(e) Rejections

Galand et al.

The Examiner rejected claims 1-28 under 35 U.S.C. §102(e) as being clearly anticipated by Galand et al. (U.S. 6,188,698). Applicant respectfully disagrees.

Claims 1-8 state, "the programming instructions implement a multi-media call application that effectuate quality of service (QOS) guaranty for a packet based multi-media call (CALL) through call associated individual media stream bandwidth control."

Claims 9-13 state, "the programming instructions implementing a bandwidth reservation service that requests a sub-net bandwidth manager (SBM) to allocate a portion of reserved bandwidth for a packet based multi-media call (Call) to an individual media stream of the CALL, providing the SBM with call level information to allow the SBM to associate the individual media stream of the CALL with the reserved bandwidth of the CALL, the SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted."

Claims 14-19 state, "first reserving bandwidth for media streams of a packet based multi-media call (CALL) at a call level with a sub-net bandwidth-manager (SBM) that manages network bandwidth of a local area network (LAN)



through which the CALL is to be conducted; and (b) the multi-media call application subsequently causing the SBM to allocate the reserved bandwidth for the call to individual media streams of the CALL, causing call level information to be provided to the SBM to enable the SBM to associate the individual media streams of the CALL with the reserved bandwidth of the CALL."

Claims 20-25 state, "a plurality of programming instructions implementing a multi-media call application that effectuates quality of service (QOS) guaranty for a packet based multi-media call (CALL) using call associated individual media stream bandwidth control."

Claims 26-28 state, "a plurality of programming instructions implementing a bandwidth reservation service that requests a subnet bandwidth manager (SBM) to allocate a portion of reserved bandwidth for a packet based multi-media call (CALL) to an individual media stream of the CALL, providing the SBM with call level information to allow the SBM to associate the individual media stream of the CALL with the reserved bandwidth of the CALL, the SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted."

Each claim in the claimed invention is concerned with implementing a multi-media call, or CALL, by establishing a reserved bandwidth of the call. A multi-media is a call that allows multiple media to be transferred over the reserved bandwidth. The multi-media may include audio and video for instance, where the combination of the audio and video combine to become "multi-

media” as there is more than one type of media that is being transferred on the reserved bandwidth. The claimed invention then requires that once the multi-media CALL bandwidth has been reserved to transfer more than one media, the QOS is guaranteed by “call associated individual media stream bandwidth control.” This language requires that once a multi-media call bandwidth has been allocated, a subset bandwidth of the CALL’s reserved bandwidth is individually controlled for each of the individual media streams that are part of the multi-media Call.

The Office Action states that the claimed invention is “clearly anticipated” under 102(e) by Galand. However, Galand does not teach or suggest a method of improving and guarantying QOS by controlling bandwidths of individual media streams of a multi-media CALL. Rather, Galand is concerned with managing or scheduling packets of information once a CALL bandwidth has been reserved by queuing packets of information by tagging them with a red or green tag. A red tag is associated with the packet if the packet exceeds the reserved bandwidth for that CALL and the green tag is associated with packets that are within the reserved bandwidth. The Galand router invention provides a method for determining which of the red tagged packets will be discarded or forwarded in unused bandwidth from other unassociated CALLs crossing the router. (See Col. 8, line 62 – Col. 10, line 37) Galand does not provide any teaching or suggestion of a method for “implementing a bandwidth reservation service” nor does it

provide a teaching or suggestion of **controlling individual media stream bandwidths** of a multi-media CALL.

To put it in another perspective, the claimed invention is concerned with managing the CALL at a global level by establishing a multi-media call and then controlling individual media stream bandwidths of the multi-media call whereas Galand is concerned with managing, at a router level where a bottleneck may occur, individual packets of data transmitted during a multimedia CALL. Accordingly, as Galand fails to teach or suggest multiple claimed elements and, in fact, is interested in a different transaction involved in a multi-media CALL, a proper 102(e) rejection cannot be maintained and the rejection should be withdrawn.

Conclusion

Applicant respectfully submits that the objection and rejections have been overcome by the Remark, and that the claims are now in condition for allowance. Accordingly, Applicant respectfully requests the objection and rejections be withdrawn.



Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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